

6A02765

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jay S. Walker et al.)

For: METHOD AND APPARATUS)
FOR PROVIDING CROSS-)
BENEFITS BASED ON A)
CUSTOMER ACTIVITY)

Examiner: Not Yet Assigned *[Signature]*



Serial No.: 09/282,747)

Group Art Unit: 2765)

Filing Date: March 31, 1999)

Docket No.:)

WD2-99-007

RECEIVED

SEP 20 1999

Group 2700

Assistant Commissioner for Patents,
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Applicants hereby submit the following documents for the above-identified patent application:

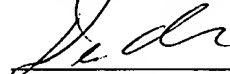
1. Information Disclosure Statement;
2. Form PTO-1449;
3. Copy of references cited therein, (92); and
4. Postcard.

The Commissioner is hereby authorized to charge the associated filing fee in the amount of \$0.00 to Deposit Account No. 50-0271. Order No. WD2-99-007. A duplicate copy of this sheet is attached.

The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment, to Deposit Account No. 50-0271. Order No. WD2-99-007. A duplicate copy of this authorization is attached.

September 9, 1999
Date

Respectfully submitted,




Dean Alderucci
Attorney for Applicants
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Certificate of Mailing

I hereby certify that this correspondence is being sent via first class mail in an envelope with sufficient postage addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on September 10, 1999.

Veronika S. Leliever
Typed Name of Person Making Deposit

 September 10, 1999
Signature Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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Assistant Commissioner for Patents
 Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. U.S. Patent No. 4,491,725 entitled "MEDICAL INSURANCE VERIFICATION AND PROCESSING SYSTEM", issued to Lawrence E. Pritchard on January 1, 1985.
- B. U.S. Patent No. 4,667,292 entitled "MEDICAL REIMBURSEMENT COMPUTER SYSTEM", issued to Mohlenbrock et al. on May 19, 1987.
- C. U.S. Patent No. 4,750,119 entitled "PURCHASING SYSTEM WITH REBATE FEATURE", issued to Cohen et al. on June 7, 1988.
- D. U.S. Patent No. 4,982,346 entitled "MALL PROMOTION NETWORK APPARATUS AND METHOD", issued to Girouard et al. on January 1, 1991.
- E. U.S. Patent No. Re. 34,380 entitled "METHOD AND APPARATUS FOR APPLYING MESSAGES IN A TELECOMMUNICATIONS NETWORK", issued to Neil F. Sleeve on September 14, 1993.
- F. U.S. Patent No. 5,287,268 entitled "CENTRALIZED CONSUMER CASH VALUE ACCUMULATION SYSTEM FOR MULTIPLE MERCHANTS", issued to Patrick D. McCarthy on February 15, 1994.
- G. U.S. Patent No. 5,319,542 entitled "SYSTEM FOR ORDERING ITEMS USING AN ELECTRONIC CATALOGUE", issued to John E. King, Jr., et al. on June 7, 1994.
- H. U.S. Patent No. 5,333,186 entitled "TELECOMMUNICATION CALL BILLING METHOD AND APPARATUS", issued to Shiv K. Gupta on July 26, 1994.
- I. U.S. Patent No. 5,619,558 entitled "ATM SEGMENT OF ONE MARKETING METHOD", issued to Elizabeth A. Jheeta on April 8, 1997.
- J. U.S. Patent No. 5,652,784 entitled "AUTOMATIC TELEPHONE ADVERTISING PROVIDED IN LIEU OF DIAL-TONE", issued to Blen et al. on July 29, 1997.

- K. U.S. Patent No. 5,694,551 entitled "COMPUTER INTEGRATION NETWORK FOR CHANNELING CUSTOMER ORDERS THROUGH A CENTRALIZED COMPUTER TO VARIOUS SUPPLIERS", issued to Doyle et al. on December 2, 1997.
- L. PCT Application No. WO 95/03570, published to D. W. Deaton et al. on February 2, 1995.
- M. PCT Application No. WO 98/06050 published to R. L. Peirce et al. on February 12, 1998.
- N. Dianne M. Pogoda, "G.E.C.C. offers credit card with discounts, rebates; General Electric Capital Corp."; WWD (Women's Wear Daily), September 3, 1992.
- O. Kathy Kristof, "CARD SHARKS ARE IN SEASON; BE WARY OF DISCOUNTS AND REBATES AS YOU SHOP AROUND FOR GOOD CREDIT DEALS", Chicago Tribune, Your Money; Pg. 9; Zone: C; Personal Finance. November 23, 1993.
- P. U.S. Patent No. 5,724,521 entitled "METHOD AND APPARATUS FOR PROVIDING ELECTRONIC ADVERTISEMENTS TO END USERS IN A CONSUMER BEST-FIT PRICING MANNER", issued to Rick Dedrick on March 3, 1998.
- Q. U.S. Patent No. 5,752,238 entitled "CONSUMER-DRIVEN ELECTRONIC INFORMATION PRICING MECHANISM", issued to Rick Dedrick on May 12, 1998.
- R. U.S. Patent No. 5,794,221 entitled "INTERNET BILLING METHOD", issued to Andrew Egendorf on August 11, 1998.
- S. U.S. Patent No. 5,819,092 entitled "ONLINE SERVICE DEVELOPMENT TOOL WITH FEE SETTING CAPABILITES", issued to Ferguson et al. on October 6, 1998.
- T. U.S. Patent No. 5,855,008 entitled "ATTENTION BROKERAGE", issued to Goldhaber et al. on December 29, 1998.

- U. U.S. Patent No. 5,864,822 entitled "BENEFITS TRACKING AND CORRELATION SYSTEM FOR USE WITH THIRD-PARTY ENABLING ORGANIZATION", issued to B. R. Baker, III, on January 26, 1999.
- V. Joyce M. Rosenberg, "GE Capital Comes to Macy's Aid Again", AP Worldstream, February 17, 1994.
- W. Stephen Ellis, "**Credit Card** firms drive down costs", Times Newspapers Limited, Sunday Times, February 27, 1994.
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- OOO. "At Sports Superstore Online, Shoppers Get More For Their Money; 10,000 reasons to Shop at Sports Superstore Online", Business Wire; December 4, 1998.
- PPP. Elaine Korry, "Credit Card Enticements", NPR MORNING EDITION, Transcript #98122308-210; December 23, 1998.
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Services -- Long Distance, Internet, Paging and Ultimately **Sprint PCS**", PR Newswire, Financial News; January 5, 1999.

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- GGGG. Timothy L. O'Brien, "THE MARKETS: Market Place -- Taking the Danger Out of Risk; Chase Says Models Helped It Avoid Financial Minefields"; The New York Times, Section C; Pg. 1; Column 2; Business/Financial Desk; January 20, 1999.
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- NNNN. Company Info - Fact Sheet.
(http://www.mysimon.com/about_mysimon/company/backgroundner.anml);
download date: September 2, 1999.

1. ☐ Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. _____, filed _____.
2. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☐ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
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The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

5. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
 - ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
6. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.

7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.
9. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
 - ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
 - ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.
10. ☐ I hereby certify:
- ☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
 - ☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned

after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

11. ☐ Please accept payment of the fees due as indicated below:

☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose

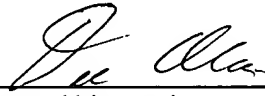
☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

Respectfully submitted,

Sept. 1, 1999
Date


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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.

WD2-99-007

SERIAL NO.

09/282,747

JAY S. WALKER ET AL.

FILING

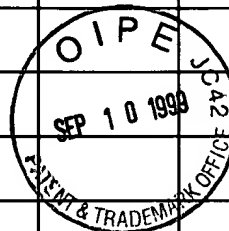
MARCH 31, 1999

GROUP

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	4,491,725	01/01/85	Pritchard			
	B	4,667,292	05/19/87	Mohlenbrock et al.			
	C	4,750,119	06/07/88	Cohen et al.			
	D	4,982,346	01/01/91	Girouard et al.			
	E	Re. 34,380	09/14/93	Sleevi			
	F	5,287,268	02/15/94	McCarthy			
	G	5,319,542	06/07/94	King, Jr. et al.			
	H	5,333,186	07/26/94	Gupta			
	I	5,619,558	04/08/97	Jheeta			
	J	5,652,784	07/29/97	Blen et al.			
	K	5,694,551	12/02/97	Doyle et al.			



FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	L	WO 95/03570	02/02/95	International PCT				
	M	WO 98/06050	02/12/98	International PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	N	Dianne M. Pogoda, "G.E.C.C. offers credit card with discounts, rebates; General Electric Capital Corp."; WWD (Women's Wear Daily), September 3, 1992.
	O	Kathy Kristof, "CARD SHARKS ARE IN SEASON; BE WARY OF DISCOUNTS AND REBATES AS YOU SHOP AROUND FOR GOOD CREDIT DEALS.; Chicago Tribune, Your Money; Pg. 9; Zone: C; Personal Finance. November 23, 1993.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION*(Use several sheets if necessary)*

ATTY DOCKET NO.

WD2-99-007

SERIAL NO.

09/282,747

JAY S. WALKER ET AL.

FILING

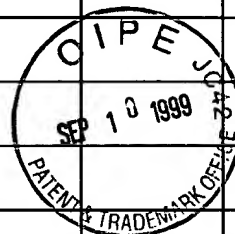
MARCH 31, 1999

GROUP

2765

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	P	5,724,521	03/03/98	Dedrick			
	Q	5,752,238	05/12/98	Dedrick			
	R	5,794,221	08/11/98	Egendorf			
	S	5,819,092	10/06/98	Ferguson et al.			
	T	5,855,008	12/29/98	Goldhaber et al.			
	U	5,864,822	01/26/99	Baker, III			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		V	Joyce M. Rosenberg, "GE Capital Comes to Macy's Aid Again", AP Worldstream, February 17, 1994.
		W	Stephen Ellis, "Credit Card firms drive down costs", Times Newspapers Limited, Sunday Times, February 27, 1994.

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